IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.1136 OF 2005

IN

NOTICE OF MOTION NO.2960 OF 2004

in

SUIT NO. 3757 OF 1998

Mr.Madhukar Venkatesh Ullal .. Appellant

versus

Mrs.Anita Hermy D'Souza & Ors. .. Respondents

...

Mr.Pankaj Kavli i/b Mrs.U.M. Jhaveri for the appellant.

CORAM : R.M. LODHA AND

D.G. KARNIK, JJ

DATED : 16th December 2005.

P.C.:

1. Heard.

2. No case for interference is made out in the impugned order. However, we are of the view that Notice of Motion thus deserve to be heard at an early

date.

3. We accordingly permit the appellant (plaintiff) to apply to the learned Judge for fixing the early date of hearing of the Notice of Motion. We observe that if such a request is made by the plaintiff, the learned Motion Judge shall endeavour herein to decide the Notice of Motion as early as possible.

(R.M. LODHA, J)

(D.G. KARNIK, J)